

Senate Bill No. 950

CHAPTER 509

An act to amend Section 1035.7 of the Military and Veterans Code, relating to veterans.

[Approved by Governor September 29, 2010. Filed with
Secretary of State September 29, 2010.]

LEGISLATIVE COUNSEL'S DIGEST

SB 950, Wiggins. Veterans' homes: accounting for charges: written notification.

Existing law provides for the establishment and operation of the Veterans' Home of California at various sites, and that there shall be an administrator for each home or homesite. Existing law requires the administrator of the home to provide each member of the home upon admission, with a written notice, as specified, of the costs of care that may be incurred in excess of the member contribution fee.

This bill would require the written notice to also include the terms and conditions upon which the member fees and costs can be changed, and to require a signature of the veteran to acknowledge that he or she has read and understands the notice. This bill would also require the notice to be written in plain, straightforward language and to be posted in each veterans' home, as specified.

The people of the State of California do enact as follows:

SECTION 1. Section 1035.7 of the Military and Veterans Code is amended to read:

1035.7. (a) Upon admission to a California veterans' home, the administrator of each home shall provide written notice to the veteran informing him or her of costs of care that may be incurred in excess of the member contribution fee. The notification shall:

- (1) Include an explanation of circumstances under which the member may incur costs that are in excess of the contribution fee.
- (2) Specifically indicate that these excess costs of care are costs in addition to, or above and beyond, the member contribution fee.
- (3) Provide examples of "excess costs of care that are frequently incurred by veterans."
- (4) Inform the member that he or she will receive a quarterly accounting statement of the total excess costs of care, but that the statement is provided for informational purposes only.

(5) Inform the veteran that, if he or she is a resident of the home at the time of death, the home may disburse his or her moneys or personal property for payment of unreimbursed excess costs of care.

(6) Include a statement advising the member to seek counsel from a legal expert to protect his or her assets.

(7) Include the terms and conditions upon which the member fees and costs can be changed.

(b) The notification shall require the signature of the veteran that acknowledges that he or she has read and understands the notification.

(c) The notification shall be written in plain, straightforward language, avoiding technical terms as much as possible, and using a coherent and easily readable style.

(d) A copy of the notification, containing all the information specified in subdivision (a) and titled in large font “NOTICE TO RESIDENTS,” shall be conspicuously posted in each veterans’ home by the administrator of the veterans’ home.